

# ROLE OF COUNSELING AND TRANSITION ASSISTANCE IN THE VETERANS BENEFITS ADMINISTRATION

Historically, VBA had a focus on personal counseling about requested benefits and services through face-to-face contact with the veteran. Today, the Compensation and Pension Service provides outreach services to veterans through the Veterans Service Centers but the focus is "you are entitled to benefits from the VA and here is the claim to file." This is not counseling in the traditional sense, rather a method to ensure that veterans receive cash benefits to which they are entitled. Since the VR&E Program is the only benefit that is provided face-to-face to the veteran, VR&E, with its professional counseling staff, should provide all outreach services to veterans, regardless of whether or not the veteran is disabled. A veteran with financial or life cycle or any other issues should be able to access counseling services at a VR&E office. Such a policy may necessitate additional resources beyond what is recommended at this time to rebuild the VR&E program.

## NEED FOR NEW PROGRAMS

This report highlights the need for clear and comprehensive data about the population that is served by VR&E. Without such data, as well as research, we will not be able to project who the service-connected disabled veterans of the future will be, nor what their needs will be. Questions that should be addressed include:

Will their injuries and disabilities be considerably different than those of recent veterans?

Will the technology used on battlefields or in medical rehabilitation impact more significantly the veteran's future ability to be a productive member of civilian society?

How will medical advances, as projected by the Institute of Medicine or the National Institutes of Health, impact the VR&E program?

The Task Force's analysis of types of disabilities of veterans entering the VR&E program found that the number of veterans determined disabled due to neuropsychiatric illnesses is increasing. The increase in mental conditions is also being seen by other public benefit programs such as Social Security Disability Insurance. It appears that the majority of veterans in the Independent Living program are those with Post-Traumatic Stress Disorder (PTSD). Yet, as this report clearly states, Independent Living status within the VR&E program should not be the sole response to their needs. An assessment of the impact of an increased number of mental health disabilities on the VR&E services should be conducted as soon as possible. The outcome will likely conclude that new programs should be developed jointly with VHA to address the needs of these veterans. Of equal importance will be the development of a methodology that guides how VR&E interacts with VHA to plan for new solutions to disabling conditions.

## IMPACT OF AN AGING VETERAN POPULATION ON SERVICES

Every social services delivery policymaker is well aware of the general aging of the population. The question should be raised as to the expected impact of the graying of veterans upon VR&E. Issues such as the aging of the general workforce could mean less discrimination against older veterans in the workplace and therefore more older applicants for VR&E services. As veterans age, many are filing additional claims for disability compensation, and many may initiate or renew their requests for VR&E services. VR&E should be proactive in addressing at least the following questions: Should

VR&E accept all disabled veterans regardless of age? Is age a criterion for prioritization of expected services? How should VR&E balance its resources vis-a-vis age of applicant and number of times services have been requested?

## IMPACT OF DISABILITY DETERMINATION

The VA disability benefits adjudication system has been the subject of discussion and controversy for many years. Congress recently established, as part of the 2004 Defense Authorization Act, the Veterans' Disability Benefits Commission to study the compensation benefit structure and complete a report in 2005. They are directed to examine the appropriateness of such benefits and the appropriate benefit determination standards, compare veterans' benefits with other public and private sector disability benefits and, perhaps most important, "consult with Institute of Medicine of National Academy of Sciences with respect to medical aspects of contemporary disability compensation policies."

Ideally the Commission's deliberations will provide a framework for many policy decisions related to the VA's disability criteria that will be updated to reflect the current state of science, medicine, technology, and labor market conditions. Such recommendations could be the catalyst that moves veterans' disability policy toward use of scientific advances and incorporates economic and social changes that have already redefined the relationship between impairments and the ability to work within the private sector. Such discussion and modern approaches could significantly impact the workload and processes of VR&E.

For example, currently there are nearly 175,000 veterans with a 60 percent or more disability rating who have applied and receive a determination that they are "Individually Unemployable." The designation of "Individually Unemployable" entitles the veteran to a 100 percent rating with commensurate compensation. Yet the adjudication process never includes the views of a vocational rehabilitation counselor as to whether or not the beneficiary could participate in the labor force or whether a strong vocational rehabilitation or counseling program would be effective in assisting the veteran achieve employment, perhaps using assistive technology or other types of supports. The questions that are raised are: Without input into the IU determination process from a trained rehabilitation expert, should IU veterans or those applying for IU status be served by the VR&E program? How can an individual be officially designated "unemployable" (a label that should be an anathema) and allowed to participate in an employment program at the expense of another veteran who wants and needs a job?

It is recognized that over the years, the Congress and the courts have expanded the scope and complexity of veterans' disability benefits. It is hoped that the Commission will conduct a thorough review of the benefits schedule and challenge the status quo. They might begin by asking how a tender scar, migraine, or mild asthma can be the sole "disability" for which a veteran receives compensation according to a rating schedule and is thereby automatically eligible for VR&E services, in the same manner as a severely-disabled veteran.

## THE GI BILL FOR THE FUTURE

The Task Force learned that more than 75 percent of those who enter the VR&E program proceed through a rehabilitation plan that includes a goal of a college degree. Though the data is not clear, one can assume (given the number of discontinued and interrupted participants) that most veterans spend far more than 4 years attaining their

degree. Equally important, most of these "students" never exhausted their GI Bill benefits. One assumes that is because the VR&E education benefits are considerably more generous than the current GI Bill. This pattern raises some questions: Does this mean that deficiencies exist in the current GI Bill? Or are veterans with disabilities just looking for the best deal? Should there be changes in the GI Bill that might make it more appealing to veterans with disabilities? What should they be?

In 1998, the then Vocational Rehabilitation and Counseling Program wrote a strategic management document that addressed the reasons that the program desperately needed to change in order to provide effective services to disabled veterans. The reasons for change were:

Inadequate focus on employment,

Customer perceptions and expectations are out-of-step with the program's intent,

Inability to monitor outcomes and provide feedback to the program; Inadequate IT support for the program,

Inadequate access for veterans,

Inadequate coalitions with peer organizations and partners, and inefficient business processes.

Despite such introspection, not much has changed. This 2004 Task Force Report not only urges management to rebuild the VR&E program but also provides a clear road map as to how to accomplish the objective. There is no excuse for lack of success.

## THE CHARGE

Unfortunately, there are not as many successful social service delivery programs as one would like. Positive outcomes for adults, as measured by an individual's independence and employment, are often difficult to attain. But I believe the mighty band of nearly 1,000 VR&E staff has the resourcefulness and dedication to build a new service delivery system for veterans with service-connected disabilities. With leadership, appropriate resources, a broad and creative approach, and what I term "cheerleading support," they can reinvent themselves, they can get energized, and they can be the best program serving the 21st century rehabilitation and employment program—and just in time for those 21st Century service veteran. VR&E can become the model public sector members returning from Iraq, Afghanistan, or anywhere else in the world where freedom calls.

It has been a privilege to chair this Task Force and present our report.

Dorcas R. Hardy, Chairman, VA Vocational Rehabilitation and Employment Task Force.

## THE MEDICAID AND CHIP SAFETY NET PRESERVATION ACT OF 2004

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2004

Mr. DINGELL. Mr. Speaker, along with Representatives BROWN, WAXMAN, and CAPPS, I am introducing the "Medicaid and CHIP Safety Net Preservation Act of 2004." This bill seeks to reaffirm the protections in the Medicaid statute for beneficiaries who receive health coverage through Medicaid in a waiver program. The Medicaid program currently covers more than 50 million Americans of all backgrounds, from pregnant women and children, to the working disabled and elderly in nursing homes. Recent actions by the Administration have raised concerns that the core principles

of the Medicaid program are being undermined by the inappropriate use of waiver authority by the Secretary of Health and Human Services.

The Administration's Medicaid waiver initiative is an attempt to do behind closed doors what it has been able to do openly in Congress, which is to reduce protections in healthcare for some of our most vulnerable citizens. In less than four years the Bush Administration has eroded the health care safety net for millions of Americans, at a time when the faltering economy has produced record high unemployment and increased the number of Americans who are uninsured for health care.

The "Medicaid and CHIP Safety Net Preservation Act" will ensure transparency and public input in the process for exercising the waiver authority under Section 1115 of the Social Security Act. It also adds protections to ensure that waivers do not erode the core objectives of the Medicaid program and Child Health Insurance Program (CHIP) previously enacted by Congress.

I urge my colleagues to join me in supporting this legislation to assure that some of our most vulnerable citizens will receive higher, not lower, quality health insurance coverage under Medicaid.

#### AUTHORIZING PARTICIPATION IN CERTAIN RECYCLING PROJECTS

SPEECH OF

**HON. JOE BACA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 19, 2004*

Mr. BACA. Mr. Speaker, I rise in strong support of Congressman DREIER's Inland Empire Regional Water Recycling Initiative, H.R. 2991, which will specifically benefit the cities of Ontario and Fontana in my district.

I am an original co-sponsor of the bill and I look forward to seeing its benefits in the Inland Empire in California.

I consider it top priority to improve water quality and increase water quantity in my community. This community has had to juggle: wildfires, huge population growth, drought, and water contamination with perchlorate and other chemicals. For all of these reasons, water recycling and new technology for treatment are critical to this area.

We need to increase and improve the quality of our water supply, and this legislation before us today is a giant step in that direction.

I would like to commend my neighbor, Congressman DREIER, for his leadership in improving water availability in Southern California, as well as in the fight to clean up perchlorate-contaminated groundwater.

I also commend the bipartisan California delegation for bringing forward important legislation that will bring crucial water benefits to our State.

I urge my colleagues to support this initiative that will help "drought-proof" a region that desperately needs it.

#### HONORING THE PUBLIC SERVICE OF JOYCE CARDELLA

**HON. LUCILLE ROYBAL-ALLARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 22, 2004*

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to honor a woman whose 42 years of public service to the City of Los Angeles serves as an example to us all. On behalf of my esteemed colleagues, I would like to acknowledge this remarkable woman whose reputation for hard work, humility, and effectiveness is well deserved.

Ms. Cardella began her career in 1960 as a senior clerk stenographer for the Los Angeles City Health Department. In 1963, she transferred to the office of 13th District Councilman James Harvey Brown. Four years later, she joined the office of Fowler D. Jones, the first Chief Legislative Analyst for the Los Angeles City Council. Over the next 34 years, Ms. Cardella faithfully served as the Executive Assistant to each succeeding Chief Legislative Analyst.

She has had the opportunity to work with many of the city's leaders, including 4 mayors, 8 City Council presidents, 67 city council members, 4 city administrative officers, and all 7 chief legislative analysts. Ms. Cardella even worked for the city when my father, former Congressman Edward Roybal, started his career in elected office as a Los Angeles City Council Member.

As part of the team of workers that have led Los Angeles, Ms. Cardella played a role in responding to Los Angeles's triumphs and tragedies—working to prepare the city for the 1984 Olympic Games and to rebuild our city after three major earthquakes, two episodes of civil disturbance, and the Baldwin Hills Flood.

Ms. Cardella has meant many things to many people. To her neighborhood, she is a graduate of Benjamin Franklin High School. To others, she is an alumnus of Glendale College, where she received an associate of arts degree. To her family, she is a loved and respected mother and grandmother. To the city that she proudly served, she is the standard to which few can lay claim, but toward which all employees strive. All who know and have worked with Ms. Cardella, know that her loyalty to her office was second only to her loyalty to the citizens of Los Angeles themselves.

Therefore, Mr. Speaker, it is with great pleasure that I take this opportunity to express my thanks, and that of a grateful city, to Joyce Cardella for 42 years of dedication and public service.

#### RECOGNIZING THE EUFAULA TRIBUNE'S 75TH ANNIVERSARY OF EXEMPLARY COMMUNITY JOURNALISM

**HON. TERRY EVERETT**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 22, 2004*

Mr. EVERETT. Mr. Speaker, I rise today to recognize and honor a community newspaper in my congressional district celebrating 75 years in business. The Eufaula Tribune recently marked its anniversary by announcing a

new publisher, Jack Smith, who was the associate publisher, editor, and son of long-time publisher and owner, Joel P. Smith, Sr.

For three quarters of a century, The Tribune has consistently educated, challenged, and supported the community of Eufaula with weekly, professional reporting. In an age of mass media and corporate take-over, this family-owned paper has remained a cornerstone of its community and a refreshing splash of local color. In fact, the Tribune has not only garnered a loyal readership, but has netted 14 awards from the Alabama Press Association.

Since 1958, Joel Smith has devoted his time, energy, and verbal craftsmanship to the Tribune. At the same time, he and his wife, Ann, a columnist and reporter for the Tribune, have raised three boys, balancing healthy community life with critical reporting. Joel's 46 years of endurance and commitment to his paper and his hometown are worth commending.

Jack began working for the Tribune at age 10 and is now an experienced and educated writer, editor, and publisher. Succeeding as publisher while raising his own young family in Eufaula, Jack promises continued excellence for the family-oriented community newspaper, saying "my goal is to become the best community newspaper in Alabama."

Mr. Speaker, I have a special appreciation for the contributions and the difficulties of running a newspaper in a small town. I, myself, owned and published a few different community newspapers in Alabama for over 30 years. It is a challenging and rewarding business and one of the noblest callings in public service.

The Eufaula Tribune has kept Eufaula, Alabama a vibrant, thinking, and informed community for 75 years. I salute this outstanding achievement.

#### HONORING THE 23RD ANNUAL DOMINICAN INDEPENDENCE DAY PARADE

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 22, 2004*

Mr. RANGEL. Mr. Speaker, I rise to recognize and pay tribute to one of New York's oldest celebrations of Dominican culture, Manhattan's Dominican Day Parade.

The annual parade, which once ran through the heart of Washington Heights, has grown to become one of August's most anticipated celebrations of cultural and ethnic pride on New York's Sixth Avenue since the 1980s. The parade not only is a celebration of pride, but also pays homage to the declaration of the Nation's independence on February 27, 1844, when the Dominican Republic established constitutional autonomy. For Dominicans in the United States the commemoration, held in August, is a second Independence Day serving as a cultural holiday.

The Dominican Day Parade has paid tribute to the cultural heritage of the Dominican Republic and the vast contributions the Dominican community has made in the State of New York and in the Nation. Through the parade, the President and the Dominican Day Parade Committee have promoted unity as well as the advancement of Dominicans in New York City. Dominican youth are our hope for the future